

Message Text

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TO AMEMBASSY LISBON PRIORITY

C O N F I D E N T I A L STATE 009455

E.O. 11652: GDS

TAGS: ELAB, PO

SUBJECT: REQUEST FOR INFORMATION ON EUROPEAN LABOR CODES.

REF: LISBON 163.

NOWHERE IN DEMOCRATIC WESTERN EUROPE IS THERE TO THE KNOWLEDGE OF THE DEPARTMENTS OF STATE OR LABOR A UNITARY LABOR CONFEDERATION IMPOSED BY LAW. IN MOST COUNTRIES BY FAR THERE IS A MULTIPLICITY OF TRADE UNION CONFEDERATIONS EACH OF WHICH IS FREQUENTLY IDENTIFIED WITH COMPETING POLITICAL OR RELIGIOUS MOVEMENTS. IN THOSE CASES WHERE A SINGLE LABOR CONFEDERATION EXISTS OR PREDOMINATES, THIS CONDITION HAS NOT BEEN IMPOSED BY LAW BUT HAS DEVELOPED AS A RESULT OF VOLUNTARY ACTION BY THE CONSTITUENT UNIONS THEMSELVES.

IT MAY BE OF EQUAL RELEVANCE TO NOTE MOREOVER THAT NOWHERE IN WESTERN DEMOCRATIC EUROPE IS THE RIGHT TO AFFILIATE WITH AN INTERNATIONAL ORGANIZATION LIMITED TO A SINGLE CONFEDERATION AND OTHER ORGANIZATIONS PRECLUDED FROM AFFILIATING WITH INTERNATIONAL BODIES OF THEIR OWN CHOOSING AS APPARENTLY CONTEMPLATED IN THE PORTUGUESE
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DRAFT DECREE. SOME QUESTION HAS EVEN BEEN RAISED WHETHER

THE PROPOSED RESTRICTION ON INTERNATIONAL AFFILIATIONS MAY BE A VIOLATION OF ILO CONVENTION NO. 87 ON FREEDOM OF ASSOCIATION.

IN FRANCE FOR EXAMPLE THE SOCIAL DEMOCRATIC ORIENTED FO IS AFFILIATED INTERNATIONALLY WITH THE ICFTU, THE FORMER CHRISTIAN CFDT WITH THE WCL AND THE COMMUNIST DOMINATED CGT WITH THE WFTU WHICH IS HEADQUARTERED IN PRAGUE. IN ADDITION, AFFILIATED UNIONS OF THESE NATIONAL CONFEDERATIONS OR CENTERS ARE FREE TO AFFILIATE WITH COUNTERPART NATIONAL UNIONS (INTERNATIONAL TRADE SECRETARIATS IN ICFTU TERMS OR TRADE DEPARTMENTS AS THE WFTU CALLS ITS CREATURES.)

ONE OF THE DANGERS IMPLICIT IN THE PORTUGUESE PROPOSAL FOR A UNITARY CONFEDERATION IS, OF COURSE, THAT THE COMMUNIST LEADERSHIP OF SUCH AN ORGANIZATION COULD AFFILIATE THE ORGANIZATION TO THE COMMUNIST WORLD FEDERATION TRADE UNIONS (WFTU) AND THEREBY EFFECTIVELY DEPRIVE THE NON-COMMUNIST TRADE UNION ELEMENTS WITHIN PORTUGUESE LABOR MOVEMENT OF ANY AFFILIATION WITH THE NON-COMMUNIST LABOR WORLD.

THE EMBASSY COULD QUITE SAFELY, IN ITS OWN DISCRETION, NOTE THAT PORTUGAL WOULD INDEED BE UNIQUE AMONG THE DEMOCRATIC COUNTRIES OF WESTERN EUROPE WERE IT TO IMPOSE BY LAW A SINGLE LABOR CONFEDERATION OR NATIONAL CENTER. IT WOULD ALSO BE UNIQUE IF IT WERE TO PROHIBIT THE INTERNATIONAL AFFILIATION OF TRADE UNION ORGANIZATIONS - WHETHER AT THE CONFEDERATION LEVEL, OR AT THE LEVEL OF INDIVIDUAL NATIONAL UNIONS - WITH POLITICALLY LIKE-MINDED INTERNATIONAL ORGANIZATIONS. KISSINGER

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